

CIVIL SERVICE COMMISSION MINUTES

October 14, 1999

A special meeting of the Civil Service Commission was held at 2:30 p.m., in Room 400B at the County Administration Building, 1600 Pacific Highway, San Diego, California.

Present were:

Gloria Valencia-Cothran
Mary Gwen Brummitt
Gordon Austin
Sigrid Pate

Absent were:

Roy Dixon

Comprising a quorum of the Commission

Support Staff Present:

Larry Cook, Executive Officer
Ralph Shadwell, Senior Deputy County Counsel

Selinda Hurtado-Miller, Reporting

CIVIL SERVICE COMMISSION MINUTES
October 14, 1999

1:30 p.m. CLOSED SESSION: Discussion of Personnel Matters and Pending Litigation

2:30 p.m. OPEN SESSION: Room 400B, 1600 Pacific Highway,
San Diego, California 92101

PRE-AGENDA CONFERENCE

<u>Discussion Items</u>	<u>Continued</u>	<u>Referred</u>	<u>Withdrawn</u>
-------------------------	------------------	-----------------	------------------

COMMENTS Motion by _____ to approve all items not held for discussion; seconded by _____. Carried.

CLOSED SESSION AGENDA
County Administration Center, Room 458
(Notice pursuant to Government Code Sec. 54954.2)
Members of the Public may be present at this
location to hear the announcement of the
Closed Session Agenda

1. Ralph Shadwell, Esq., Senior Deputy County Counsel: **Caloca v. County of San Diego** (1999) Cal. App. 4th
2. Commissioner Brummitt: Eric Siegler, Esq., on behalf of **Michael Wilbert** appealing an Order of Termination from the Sheriff's Department.
- 3 Commissioner Pate: Richard Pinckard, Esq., on behalf of **Hans Nagorr** appealing an Order of Removal of Corporal Premium Pay from the Sheriff's Department. (Interim report)

REGULAR AGENDA

DISCIPLINES

1. Commissioner Brummitt: Eric Siegler, Esq., on behalf of **Michael Wilbert** appealing an Order of Termination from the Sheriff's Department.

FINDINGS AND RECOMMENDATIONS:

This matter was heard at the regular meeting of the Civil Service Commission on October 6, 1999. At that meeting it was determined that further investigation into the issue of termination vs. demotion was needed before a conclusion could be entered into record.

Commissioner Brummitt concluded that there is now established a clear and undeniable record of Employee's inability to satisfactorily and

consistently perform the patrol duties of a Deputy Sheriff. The Department acted reasonably in electing termination rather than demotion to avoid damaging its objectives in converting detention facility duties to this separate classification. The charges described in Causes One and Two in the Order of Termination were proven to be true. Therefore it is recommended that the Order of Termination be affirmed; and that the proposed decision shall become effective upon the date of the approval by the Civil Service Commission.

Motion by Brummitt to approve Findings and Recommendations; seconded by Pate. Carried.

ADJOURNMENT: 3:00 p.m.

NEXT MEETING OF THE CIVIL SERVICE COMMISSION WILL BE NOVEMBER 3, 1999.